

21-5118

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUL - 1 2021

OFFICE OF THE CLERK

Michael D. Dyer — PETITIONER
(Your Name)

vs.

Georgia — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael David Dyer A.K.A. Michael D. Dyer
(Your Name)

LEE State Prison 153 Pinewood Road
(Address)

Leesburg, Georgia 31763
(City, State, Zip Code)

un known
(Phone Number)

RECEIVED

JUL 14 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

How come everyone but sex offenders gets Evidentiary Hearing or fair chance to litigate case effectively?

(2.) How CAN HALL COUNTY SUPERIOR COURT NOT SEND COURT OF APPEAL OF GEORGIA (ORDER) Denying motion for discovery of Brady materials O.C.G.A. § 9-11-26 (2), 9-11-26 (b) (1) & (2), 8(3), 8(4), & (4)(A) ?

(3.) How CAN Hall County Superior Court Denie motion without hearing if motion is filed with out-of-time Appeal? O.C.G.A. § 5-6-33(a)(1) ? And motion To set Aside Judgement based on O.C.G.A. 9-11-60

(4.) How CAN Court of Appeal Return document stating There is NO pending case in the Court of Appeal when Petitioner filed these motions in conviction court and then sought to Appeal conviction courts order of dismissal? (5) How CAN conviction court dismiss motion for-out-of-time Appeal Base on NO Evidence showing Defendant lost his Right to Appeal? when Defendant sent Evidence with motion? Also How is this Not showing when this Evidence is stated within the content of motion showing proof within Transcripts of case No. 2006-CR-1284-C At page 13, 14, all explained in motion For Out-of-time Appeal showing proof that Defendant retained Right to Appeal

How can Judge Denie out-of-time appeal without allowing state to argue it? Shows impartial Judge are that it was ERRONEOUS denied by conflict of interest Counsel?

(A) Giving Transcript pages and line as proof and Exhibit (C) ? Ambiguity?

(6.) How can conviction court Denie constitutional Rights creating AN SCIENTER omitting the Facts when they are plain in Record? see March 12th 2015 Lowndes County Superior Ct. case No. 2004-CV-1387 pages 6-14, all lines?

(7.) How CAN Judge of Superior conviction court of Hall County Jason J. DEAL knowingly Appoint counsel of conflict after dismissal of counsel from the Public Defenders office, Larry Dachtwiler, then appoint his intern Brett Willis to the same office of which he believed defendants complaint of conflicted counsel? (6.A) How can Prison keep denying access to Law Library and deny me access to court by this harm of denial of Law Library to be able to file timely appeal?

(7.) How can Judge of Superior court create SCIENTER and be Allowed to keep its defrauding of Defendants Rights in Habeas corpus proceeding and appeal?

(8.) How can Ambiguity be Allowed to stand as knowingly and voluntarily and intelligent with able counsel entering into a guilty Plea and signing a waiver of Rights of Appeal and Habeas corpus when counsel states that he was not present at signing of waiver, Nor was it in the contract of the Plea but was generated Fraudulent after hearing and presented to counsel client illegally when he was without counsel/presents? And was not signed by the Defendant but was edited into other papers of conditions of special probation as it was signed? SEE Evidentiary Hearing Habeas corpus Held March 12, 2015, case No. 2004-CV-1387 At pages 7-8, 9, 10, 11, 12, 13, 14, all lines. How can Prison deny access to Law Library withholding my timely Appeal to Georgia's Supreme Court one week...

(9.) How can Ambiguity be Allowed to stand as knowingly and voluntarily and intelligent with able counsel entering into a guilty Plea and signing a waiver of Rights of Appeal and Habeas corpus when counsel states that he was not present at signing of waiver, Nor was it in the contract of the Plea but was generated Fraudulent after hearing and presented to counsel client illegally when he was without counsel/presents? And was not signed by the Defendant but was edited into other papers of conditions of special probation as it was signed? SEE Evidentiary Hearing Habeas corpus Held March 12, 2015, case No. 2004-CV-1387 At pages 7-8, 9, 10, 11, 12, 13, 14, all lines. How can Prison deny access to Law Library withholding my timely Appeal to Georgia's Supreme Court one week...

(10.) How can Ambiguity be Allowed to stand as knowingly and voluntarily and intelligent with able counsel entering into a guilty Plea and signing a waiver of Rights of Appeal and Habeas corpus when counsel states that he was not present at signing of waiver, Nor was it in the contract of the Plea but was generated Fraudulent after hearing and presented to counsel client illegally when he was without counsel/presents? And was not signed by the Defendant but was edited into other papers of conditions of special probation as it was signed? SEE Evidentiary Hearing Habeas corpus Held March 12, 2015, case No. 2004-CV-1387 At pages 7-8, 9, 10, 11, 12, 13, 14, all lines. How can Prison deny access to Law Library withholding my timely Appeal to Georgia's Supreme Court one week...

(11.) How can Ambiguity be Allowed to stand as knowingly and voluntarily and intelligent with able counsel entering into a guilty Plea and signing a waiver of Rights of Appeal and Habeas corpus when counsel states that he was not present at signing of waiver, Nor was it in the contract of the Plea but was generated Fraudulent after hearing and presented to counsel client illegally when he was without counsel/presents? And was not signed by the Defendant but was edited into other papers of conditions of special probation as it was signed? SEE Evidentiary Hearing Habeas corpus Held March 12, 2015, case No. 2004-CV-1387 At pages 7-8, 9, 10, 11, 12, 13, 14, all lines. How can Prison deny access to Law Library withholding my timely Appeal to Georgia's Supreme Court one week...

(12.) How can Ambiguity be Allowed to stand as knowingly and voluntarily and intelligent with able counsel entering into a guilty Plea and signing a waiver of Rights of Appeal and Habeas corpus when counsel states that he was not present at signing of waiver, Nor was it in the contract of the Plea but was generated Fraudulent after hearing and presented to counsel client illegally when he was without counsel/presents? And was not signed by the Defendant but was edited into other papers of conditions of special probation as it was signed? SEE Evidentiary Hearing Habeas corpus Held March 12, 2015, case No. 2004-CV-1387 At pages 7-8, 9, 10, 11, 12, 13, 14, all lines. How can Prison deny access to Law Library withholding my timely Appeal to Georgia's Supreme Court one week...

Attachment s

CASE 09-1387, March 12th 2015

P.1.

QUESTION(S) PRESENTED

SEE Guilty PLEA Transcript pages 7, and 8, all lines, AND HABEAS TRANSCRIPTS p. 6-14,
 1. How CAN A GUILTY PLEA BE MADE OR ENTERED KNOWINGLY
 intelligently, OR VOLUNTARILY WHEN THE PROSECUTOR IS ALLOWED
 without objection by ineffective, CONFLICT OF INTEREST, CO-CON-
 SPIRITO Public DEFENDER BRETT WILLIS, TO "THROW IN EXTRA
 CONDITIONS AND (CONSEQUENCES), "during the PLEA HEARING THAT
 I HADN'T HEARD OF OR DISCUSSED WITH MY CLIENT" ? ? ?
 1. How is this knowing? 2. How is this intelligent? 3. How is this vol-
 untary? 4. How is this Guilty PLEA ENTERED WITH EFFECTIVE
 COUNSEL? How can conviction COURT ACCEPT PLEA AS THESE
 FOUR questions ABOVE WHEN IT KNOWS PROSECUTOR HAS VINDICTIVE-
 -IVENESS AGAINST DEFENDANT SEE Guilty PLEA TRANSCRIPTS page
 7, LINES 4, THROUGH 25, AND page 8, LINES 1, THROUGH 6, SHOWING VINDICTIVE-
 -NESS AGAIN TO ADD TO SENTENCE ADDITIONAL DOUBLE JEOPARDY SENTENCE
 AT 6 GUILTY PLEA TRANSCRIPTS WE NOW RENAME G.P.T. page RENAMED
 P. SEE G.P.T. p. 8, LINES 19, THROUGH 25, AND p. 9, LINES 1, THROUGH 6,
 ALSO SEE BRETT WILLIS STATEMENT I QUOTED ABOVE IN MARCH 12TH
 2015 HABEAS CORPUS TRANSCRIPT WE RENAME H.T.2. wit page
 RENAMED P. SEE H.T.2. p. 10, LINES 24 AND 25, AND p. 11, LINES 1 THROU-
 GH 14, 5. How CAN THIS PLEA OF GUILTY BE DEEMED KNOWINGLY, VOLUNTARILY
 OR INTELLIGENTLY WHEN IN THE CONTRACT RECORD OF THE PLEA, KNOWN
 AS PETITION TO ENTER A PLEA OF GUILTY FILED IN SUPERIOR COURT
 HALL COUNTY JUNE 12TH 2007 IN CASE NO. 2006-CR-1284-C
 THE STATE OF GEORGIA VERSES MICHAEL D. DYER, DEFENDANT, FILED IN
 HABEAS CORPUS COURT LOWNDEN COUNTY SUPERIOR COURT, AS PROOF
 OF KNOWINGLY AND VOLUNTARILY AND INTELLIGENTLY ENTERING A GUILTY
 PLEA AS ~~RESPONDENTS EXHIBIT~~ RESPONDENTS EXHIBIT 1 AND 2, WHICH
 I WAS NOT ALLOWED A COPY OF TILL AFTER HEARING SO I COULD NOT LITIGATE
 DEFENSE, PURPOSILY IN VIOLATION OF O.C.G.A. §§ 9-14-1(C), 9-14-40,
 TO 9-14-53 GEORGIA HABEAS CORPUS ACT CODE STATED ABOVE. THIS
 IS IN CONTRADICTION OF GUILTY PLEA CONTRACT IN HABEAS CORPUS
 CASE 2009-LV-1387 RECORD AS PAGE 100 AND 101 REPORT-
 -ENTS EXHIBIT 1 BEING IN CONTRADICTION OR AMBIGUITY OF PETI-
 -TION TO ENTER A PLEA OF GUILTY SEE PAGE 101, AT CERTIFI-
 -CATE OF COUNSEL, "I, ~~NAME~~ AS ATTORNEY FOR THE DEFENDANT,
 HEREBY CERTIFY THAT:" LINES NUMBERED 1, THROUGH 6, SEE LINE
 6. "I HAVE EXPLAINED TO THE DEFENDANT HIS RIGHT TO APPEAL,
 HABEAS CORPUS, AND SENTENCE REVIEW." WHEN OR DOES IT
 BECOME A BREACH OF CONTRACT, AND A DUE PROCESS VIOLATION OF
 NOT KNOWINGLY, NOT VOLUNTARILY, NOT INTELLIGENTLY ENTERING
 A GUILTY WHEN THE PROSECUTOR IS ALLOWED TO RE EDIT —
 continued SEE ATTACHMENT PAGE 1, - 5 THE FOLLOWING PAGES. . .

Attachment Questions

P.I.A.

Questions presented to the United States Supreme Court by Indigent Prisoner.

Pp. 10 of 10

1. DEFENDANT/PETITIONER IN CONVICTION COURT OR HABEAS CORPUS ACTIONS OR OTHER CIVIL ACTIONS, MANDAMUS SHOULD NOT BE DEPRIVED OF ACCESS TO COURT, DEFENDANT/PETITIONER SHOULD ENJOY THE RIGHT TO BE HEARD BECAUSE TO DO OTHERWISE WOULD BE TO DEPRIVE THE DEFENDANT/PETITIONER/PRISONER LIBERTY WITHOUT THE OPPORTUNITY TO BE HEARD; RIGHT? SEE LESTER V. FOSTER, 207 GA. 596, 630 S.E. 2d 402 (1995).
2. IF INDIGENT PRISONER IS DENIED HIS RIGHT TO PRESENT EVIDENCE, EXHIBITS TO STATE HABEAS COURT (U. LOWMEYER, 2009-CV-138; LEE 2017-CV-226), DOES THE HABEAS COURT VIOLATE, DEPRIVE RIGHTS OF RIGHT TO PROSECUTE CAUSE IN HABEAS CORPUS COURT, GA. L. 1961, P. 835 § 3 (SEE NOW O.C.G.A. § 9-14-42)? IS IT UNCONSTITUTIONAL WHEN AN INDIGENT PRISONER IS DENIED THE RIGHT TO PRESENT A MERITABLE APPEAL BASED ON HABEAS CORPUS HEARING TRANSCRIPTS?
4. IS THIS DENIAL OF RIGHT TO PROSECUTE THE CAUSE IN THE HABEAS CORPUS COURT? SEE REED V. HOPPER, 235 GA. 298, 219 S.E. 2d 409 (1975)?
5. IS THE STATE HABEAS CORPUS COURT BOUND TO FINDING OF FACT AND CONCLUSION OF LAW? BY GA. HABEAS CORPUS ACT, CODE OF 9-14-1(c), 9-14-40, TO 9-14-53, TEXT OF 9-14-49? ESPECIALLY WHEN THE STATE HABEAS CORPUS COURT DENIED INDIGENT PETITIONER TO PRESENT EVIDENCE OF HIS CLAIMS? IS THIS A FAIR HABEAS CORPUS TRIBUNAL, HEARING? WHEN THE COURT IS ALLOWED TO DICTATE EXHIBITS, TO BE ONLY PARTIAL TO ATTORNEY GENERAL OR RESPONDENTS COUNSEL? OR TO DICTATE THE RECORD AND FINDINGS OF WHAT IS TO BE PRESENTED TO THE COURT? SEE O.C.G.A. § 9-14-49 (CODE 1933, § 50-127, ENACTED BY GA. L. 1967, P. 835, § 3.)
6. IS IT INSUFFICIENT ORDER DENYING RELIEF IN HABEAS COURTS WHEN THERE IS AN AMBIGUITY IN THE RECORD AS TO QUESTIONABLE WAIVER OF RIGHTS TO APPEAL, RIGHT TO FILE HABEAS CORPUS? DID HABEAS CORPUS COURT FAIL TO MEET THE REQUIREMENTS OF O.C.G.A. § 9-14-49? AS EXAMPLE CASE IN THOMAS V. STATE, 284 GA. 327, 667 S.E. 2d 375 (2008) SEE OVERRULED ON OTHER GROUNDS, CROSSON V. CONWAY, 241 GA. 220 728 S.E. 2d 617 (2012)?
7. DOES THE REVISION OF 28-9-S PUBLICATION OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; AUTHORITY TO MAKE CORRECTIONS AND EDITORIAL CHANGES; EFFECT OF CHANGES; TREATMENT OF MULTIPLE AMENDMENTS; PREPARATIONS AND INTRODUCTIONS OF LEGISLATION REVISION COMMISSION SHALL PROVIDE FOR THE PUBLICATION OF THE OFFICIAL CODE OF GEORGIA ANNOTATED AND ANY POCKET PARTS, SUPPLEMENTS, REVISED VOLUMES, OR RECODIFICATIONS THEREOF? SEE (a) OF 28-9-S SHOULD'N'T THE STATE HABEAS CORPUS COURTS PROCEDURE BE REVISED OR MANICATED TO AVOID A DICTATORSHIP OF STATE HABEAS CORPUS COURTS INVENTING THEIR OWN PROCEDURES IN CONTEMPT OF LEGISLATORS INTENDED RULES, PROCEDURE, MANDATE OF HABEAS CORPUS ACT?

Attachment Questions

- P.2. 8. WHEN HABEAS CORPUS COURT MAKE DECISIONS IN CONFLICT OF HABEAS CORPUS ACT OR LEGISLATORS MEANING(S) OF HABEAS CORPUS PROCEDURES, RULES, CONSTITUTIONAL RIGHTS AND SAFEGUARDS DOES THIS DENIE DUE PROCESS OF FOURTEENTH AMENDMENT DUE PROCESS CLAUSE AND RIGHTS TO ACCESS THE COURTS? TO INDIGENT PRISONER?
SEE GIBSON V. TURPIN, 270 GA. 855 (1995) SUPREME COURT OF GEORGIA 1999 QUESTIONS OF MEANINGFUL ACCESS TO COURT MEANS THAT STATE AUTHORITIES MUST ENSURE THAT INMATES HAVE REASONABLE ADEQUATE OPPORTUNITY TO PRESENT CLAIMS, OR VIOLATIONS OF FUNDAMENTAL CONSTITUTIONAL RIGHTS TO ACCESS COURTS DOES THIS DENIE INDIGENT MEANINGFUL ACCESS TO COURT?
9. WHEN SUPREME COURT OF GEORGIA DISMISSES APPEAL AND GIVES NO REASON IS THIS A DENIAL OF CONSTITUTIONAL RIGHTS? SEE SUPREME COURT OF GEORGIA CASE NO. S1610942 ATLANTA, JUNE 30, 2012 DECISION AFTER EVIDENTIARY HEARING ON MARCH 12TH 2015 DISMISSAL IN SUPERIOR COURT, HABEAS CORPUS IN LOWNDES COUNTY SEE CASE NO. 2009-CV-1387.?? DOES THIS FOLLOW LEGISLATORS MANDATES AND PROCEDURES? SEE APPENDIX "E" NO. SUPREME COURT OF GEORGIA ORDER OF DISMISSAL, APPEAL DENIED.??
10. LEGAL MAIL WAS WITHHELD FROM INDIGENT PETITIONER OF CIVIL APPEAL FROM SUPREME COURT OF GEORGIA IS IT A CONSTITUTIONAL DEPRIVATION OF RIGHTS ACCESS OR TIMELY ACCESS TO COURT WHEN PRISON OFFICIALS CREATE ARBITRARY RULES THAT DENIE ACCESS TO COURT TO INDIGENT PRISONER? IS IT A DENIAL OF ACCESS TO COURT WHEN MAIL ROOM PERSONNEL WITHHOLD? OR DELAY PICKUP OF LEGAL MAIL FROM POST OFFICE FOR MORE THAN 2 DAYS SEE APPENDIX "H" AND ALL ITS COUNTER PARTS AND NUMERATIONS, SEE POST MARK DATES AND CALL OUTS WHEN PRISONER ALLOWED TO FINALLY RECEIVE LEGAL MAIL. THESE SHOW A DELIBERATE INTERFERENCE TO DEPRIVE INDIGENT PRISONER TO ACCESS TO COURTS.
11. DID DEFENDANTS COUNSELS OF PUBLIC DEFENDERS OFFICE CO-CONSPIRE WITH STATE PROSECUTORS OFFICE IN CASE NO. 2006-CR-1284-C TO DENIE, DEPRIVE CONSTITUTIONAL RIGHTS OF 14TH AMENDMENT CLAUSE OF DUE PROCESS TO INDIGENT DEFENDANT WHEN: 1. THEY WITHHELD REQUESTED TRANSCRIPTS FOR ALMOST FOUR YEARS BEFORE FINALLY SENDING THEM SEPTEMBER 30, 2010?
(SEE APPENDIX "A" NO. 4. OR "F" NO. 4.)
12. DOES REFUSING TO TALK TO OR ADVISE INDIGENT DEFENDANT OR TO GIVE GUIDANCE TO APPEAL, OR TO STEP DOWN, OR FILE FOR NOTICE OF APPEAL WHEN INDIGENT DEFENDANT REQUESTS IT OF HIS COUNSEL(S) SEVERAL TIMES OVER AND OVER AFTER EACH HEARING: COMMITTEE? DEMURRER? GUILTY PLEA? DENIE DEFENDANT OF HIS 6TH AMENDMENT RIGHT TO EFFECTIVE COUNSEL?

Attachment Questions

- P. 3. 13. Does Indigent Appellates Appendix "H" show deprivation of constitutional rights to an indigent prisoner by authorities of prison of Lee State, State of Georgia?
14. Does Indigent Appellates Appendix "G" Transcripts ~~and~~ ^{all lines} Appendix "A" No. 12 Exhibit (C) page 2 of certificate of counsel at line 6 show crime of counsel and prosecutors 1. Breach of PLEA Agreements? 2. conflicts of interest of counsel? 3. Prosecutor and counsels willingly deprivation of 6th Amendment rights to effective counsel? 4. Does it show a prosecutor willing to break the law and rules of court procedure to willing cover up his illegal action to deny an indigent due process of 14th Amendment clause? 5. Does it show a co-conspiracy of two or more government agencies involved in a cover up illegal elicitation of waivers of appeal, Habeas corpus, and Fourth Amendment rights, OR to seek sentence review? like all crime does this evidence show some material facts towards appellates claims?
15. Does this slip of inexperience counsel Brett Willis, show cause to this court for concern of co-conspiracy of government agencies in Hall County Judicial courts and agencies?
16. Does this slip of Brett Willis an intern counsel at the time to Public Defenders office of Gainesville Georgia P.O. Box 390 zip code 30503 show that counsel did not care about his client rights? Does it show that counsel total disregard for what Judge Jason J. Deal ordered him to do at guilty plea transcripts ~~page 13, 14~~ ^{page 13, 14} was in fact a conflict of counsel? When counsel refused to do as Judge said?
17. With regards to mandated procedures of Habeas courts at the state level Does denial of transcript to be able to appeal deny access to court to indigent appellant? SEE O.C.G.A. § 9-14-50 (code 1933 § 50-127, enacted by GA L. 1967, p. 835, § 3.)? SEE Hilliard V. Hilliard, 243 Ga. 427, 254 S.E. 2d 372 (1979)?
18. Does Failure to comply with O.C.G.A. § 9-14-52(a) or (b) deny indigent timely access to courts to appeal? SEE State V. Smith, 268 Ga. 75 (485 S.E. 2d 491) (1997) when courts ignore jurisdictional statutes to dismissal of indigent Habeas Petition does it deny constitutional rights of equal protection and show prejudice and bias of sex offender Michael D. Dyer causing a discrimination violation or civil rights violation towards a different type of minority?

Attachment Questions

P. 11.

Mr. Dyer's arguments for dismissal. It was clearly ^{AN IMPARTIAL, ONE SIDED HEARING, WITH NO ADVERSARY PROCESS} NO WITNESSES, ONLY HEARSAY OF PROSECUTOR, WENT UNCHALLENGED AS FACT.

4. AFTER DISMISSAL OF MY HABEAS CORPUS THE SUPERIOR COURT OF LEE COUNTY KEPT BEING BY PARTISAN TOWARDS INDIGENT PETITIONERS INTEREST. NOVEMBER 12th, I WASN'T PRESENTED WITH EXHIBITS OF ATTORNEY GENERAL ANSWER AND I COULDN'T AND WASN'T ALLOWED FAIR CHANCE TO LITIGATE MERITS OF CLAIMS.

1. FREE TRANSCRIPTS OF HABEAS CORPUS HEARING HELD ON DECEMBER 7th, 2017 WAS DENIED TO PETITIONER UNTIL AFTER A TIMELY NOTICE OF APPEAL COULD BE FILED IN CASE No. 2017-LV-226.

2. FREE TRANSCRIPTS OF HABEAS CORPUS HEARING HELD ON DECEMBER 7th, 2017 WAS DENIED TO PETITIONER UNTIL AFTER A TIMELY APPEAL COULD BE TIMELY FILED. AT SECOND HABEAS HEARING IN CASE No. 226 SUPERIOR COURT LEE COUNTY JUDGE SIZEMORE SEE EXHIBIT (X).

3. PETITIONER THEN AFTER BEING DENIED ANYWAY TO APPEAL BY BOTH COURTS BECAUSE INDIGENT WASN'T AN ELIGHTEN ENIGMA TO BE ABLE TO FILE AN APPEAL, NOTICE OF APPEAL AND AN APPLICATION FOR PROBABLE CAUSE TO APPEAL OR FOR CERTIORARI TO APPEAL ADVERSE DECISION, WITHOUT TRANSCRIPTS OF THIS CASE CALLED A HABEAS CORPUS HEARING IN SUPERIOR COURT LEE COUNTY.

4. AFTER ANY POSSIBLE ACCESS TO COURT TO APPEAL WAS DENIED MICHAEL D. DYER FILED MOTION TO SET ASIDE JUDGEMENT O.C.G.A. § 9-11-60 (d) SEE FILINGS LEE COUNTY SUPERIOR COURT. . . . THE LEE COUNTY SUPERIOR COURT AND ITS CLERK CHOSE TO ABSOLUTELY IGNORE THIS FILING, AND WOULD NOT MAKE A RULING ON IT. THIS WAS A CONTINUED CONTEMPT OF ANY SWORN OATHS TO THEIR OFFICE JUDGE W. JAMES SIZEMORE JR. AND CLERK SARA CLARK. WHITE V. WHEELER, 136 S.Ct 456 (2015) OPINION: ADDITIONALLY THIS COURT AND ITS AGENTS OF OFFICE ARE IN CONTEMPT OF THEIR SWORN DUTY TO FULFILL THE GEORGIA'S LEGISLATOR'S MANDATES OF PROCEDURES IN GEORGIA'S HABEAS CORPUS ACT, GA. CODE §§ 9-14-1 (C), 9-14-40, TO 9-14-53 - TEXT OF § 9-14-42 & § 9-14-47, § 9-14-48, § 9-14-49, § 9-14-48(d) EXTRAORDINARY EXCEPTION TO GENERAL RULE THAT PRESUMPTIONS OF HARM THAT APPLY ON DIRECT APPEAL DO NOT APPLY ON HABEAS CORPUS TO PROCEDURALLY DEFAULTED CLAIMS, SHOULD NOT APPLY ONLY WHEN DICTATED BY CONSTITUTIONAL LAW OR WHEN CLEARLY NECESSARY TO AVOID MISCARriage OF JUSTICE, STATED IN PERKINS V. HALL, 288 GA. 810, 708 S.E. 2d 335 (2011).

Attachment Questions

P. 5.

5. PETITIONER THEN FILED A DEFAULT JUDGEMENT WITH THE COURT OF LEE COUNTY SUPERIOR, BECAUSE THIS COURT DENIED PETITIONER'S MOTION FOR SUBPOENAS OF EVIDENCE AND DEPOSITIONS AND/OR STATEMENTS AFFIDAVITS FAILING TO COMPLY WITH THE GA. HABEAS CORPUS ACT GA. CODE §§ 9-14-1(c), 9-14-40, to 9-14-53 TEXT OF § 9-14-48(a), & § 9-14-48(b) THE TAKING OF DEPOSITIONS UPON WRITTEN QUESTIONS BY EITHER PARTY SHALL BE GOVERNED BY CODE SECTIONS § 9-11-26 THROUGH § 9-11-32 AND § 9-11-37; SEE ALSO § 9-14-48(c), AND § 9-14-48(d). THE HABEAS COURT REFUSE TO HOLD A FAIR AND EQUAL HABEAS HEARING TO WEIGHING OF EVIDENCE IN TRANSCRIPTS OR OTHERWISE. THIS COURT WAS ONLY INTERESTED IN DISMISSAL OF MICHAEL DAVID DYER'S HABEAS CORPUS, BECAUSE OF ITS DISCRIMINATION AGAINST SEX OFFENDERS AND PERSONAL FAMILY PAST OF SEX OFFENDERS...

⑥. WILSON V. HOPPER, 234 GA. 859, 218 S.E. 2d 573 (1975) STATE HABEAS COURT OF LEE COUNTY SUPERIOR COURT IN VIOLATION OF LAW IT SUPPOSED TO UPHOLD, ALSO VIOLATED PETITIONER RIGHTS FOR PROOF OF CLAIMS WHEN THE BURDEN WAS UPON PETITIONER IN THE HABEAS CORPUS HEARING TO PROVIDE BURDEN OF PROOF SEE PERRY V. HOLLAND, 228 GA. 660, 187 S.E. 2d 286 (1972). AND WILSON V. HOPPER, 234 GA. 859, 218 S.E. 2d 573 (1975). ALSO DENIED EQUAL PROTECTION TO INDIGENT PETITIONER, UNITED STATES CONSTITUTIONAL RIGHTS TO EQUAL PROTECTION AMENDMENT V EQUAL PROTECTION SEE DUE PROCESS CONSTITUTIONAL LAW, DUE PROCESS RIGHTS IN CRIMINAL PROCEDURE U.S. CONST. AMEND 5 AND GA. CONST. 1983. ART. 1, SEC. 1, PARA. 1. PRIVILEGES AND IMMUNITIES FOR ALL CITIZENS, GA. CONST. 1983 ART 1, SEC. 1, PARA. VII AND §§ 1-2-9, 1-2-10 AN UNCONSTITUTIONAL DISMISSAL, SUSPENSION OF THE WRIT OF HABEAS CORPUS BASED ON UNFACTUAL AND PARTIALLY OBTAINED MISLEADING FACTS WHICH ARE AN AMBIGUITY TO FACTS IN THE RECORD. WHEN HABEAS CORPUS IS BIASELY AND PARTIALLY DECIDED AGAINST PETITIONER IN ERROR OF FACTS IN RECORD, THE PETITIONER RETAINS RIGHTS TO UNITED STATE SUPREME COURT APPEAL, REVIEW SEE 28 U.S.C. § 2241 (e) EFFECTS AN UNCONSTITUTIONAL SUSPENSION OF THE WRIT OF HABEAS CORPUS. SEE BOUHMEDENE V. BUSH, 553 U.S. 723 (2007) UNITED STATES SUPREME COURT CASE (2018). CRIMINAL LAW & PROCEDURE > HABEAS CORPUS > PROCEDURE > GENERAL OVERVIEW MILITARY & VETERANS LAW > MILITARY JUSTICE > MILITARY COMMISSIONS & TRIBUNALS (INDIGENT PRISONER SHOULD HAVE SAME RIGHTS UNDER CONSTITUTION) AS MILITARY PRISONER, DETAINEE. ALSO SEE ASSUMING THE DETAINEE TREATMENT ACT, 109 Pub. L. No 148, 119 STAT. 2680 (2005). ANY DEPRIVATION OF CONSTITUTIONAL RIGHTS BY JUDICIARY, AGENTS + IS NOT IMPARTIAL? SHOWS BIAS? PREJUDICE?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[✓] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this

petition is as follows: **Samatha RENEE JONES, A.K.A. Smatha R. McWhorter, Nathan Luke Jones**
Todd Preston Dyer, Judges: JAMES TUNISON Lowndes County, Habersham & W. James Sizemore LEE County Court.
Judge JASON J. DEAL of Superior Court Hall County P.O. 49 Gainesville, Ga 30503
Buddy Longins of Magistrate Court Hall County, AG's, Gaudin, Hill, Kolby, Piezman, WARE, CROWLER,
Public Defenders Office of Hall County Georgia P.O. Box 390 Gainesville Ga. 30505

1. ANNE Watson, 2. Brad Morris, A.K.A. Bradford Morrison, 3. Larry Duckweller, 4. Brett Willis,
 5. Tony Cantrell Counsel's that had something to do with my case Tony Cantrell Investigator
 6. LEE Darragh's Office of District Attorney 2. Greg Ralic's 3. Elizabeth Simmons all
 Prosecutors who had something to do with this case. Cindy Anderson, Dr. Julie Bettle
 WARDEN, ALLEN Dills, WARDEN Ms Philips, warden Ms Flowers, Law Librarian Mr.
 McDaniel's Mr. TURNER counselor, Mail Room Personnel Ms Carter, & ~~Ms Strong~~
 Ms. Strong I was denied access to Supreme court of Georgia timely to Appeal
 because I was denied Law library this week August 9-15th 2020 and again on
 08/17/20 making it impossible to mail out Appeal timely to Georgia Supreme court.

RELATED CASES

1. **Bownd V. Smith** 430 U.S. 817, 821 (1977) I was denied Legal Aid and/or Law Library by Prison officials Warden ALLEN Dills, and Warden Ms Philips, and Warden Ms Flowers, and Mr. Sexton Because they locked Person Down on the day of my Law Library Appointment in the week of 9-15 of August and again Monday August 17th 2020 This made my Appeal to The Supreme Ct. of Georgia late and possibly dismissable when the earliest I could mail it was 08/19/20 SEE Exhibits
2. **Lewis V. Casey**, 518 U.S. 343 (1996) The Party that Prison officials had spending inmates ear marked funds on these dates stated above shows hindering efforts to pursue a legal claim by Prison who regularly shuts down Law Library.
3. **CoField V. Alabama Public Service Comm'n**, 936 F.2d 512, 517 (11th Cir. 1994)
4. **J. Boston D. Manville**, Prisons' Self-Help Litigation Manual, 4th Edition, Oxford University Press (2000) & **Id. V. Georgia**, 450 U.S. 261, 271 (101 SC 1097, 67 L. Ed. 2d 812 (2008))
5. **Lewis V. Casey**, 518 U.S. at 351. **Id.** at 353, 7, **Id.** at 355. 8, **Id.** at 351, 9, **Id.**
6. **WEST V. Nodvin**, 196 Ga. App. 825 (1990) Breach of contract of original guilty plea and of Guilty Plea Defendant finally wound up with also default deficiencies and Structural ERRORS.
7. **Friedman V. Friedman**, 259 Ga. 530 (3) (384 S.E.2d 567 (1989) The trial court ignored EVIDENCE SENT AS Exhibit (C) and Transcript References Exhibits pages 7, through 14, AS Reference to Structural ERRORS and conflict of interest counsel, SEE ALSO **CARROLL V. State**, 261 Ga. 553 (2) (408 S.E.2d 412) SEE (HN 7), Headnote 7 of **Wilson V. S. Ry.**, 208 Ga. App. 598 (1993) Court of Appeals, SEE **FOREMAN V. Cal.**, 422 U.S. 806 (Shepardized) **Town V. Tovar**, 541 U.S. 77, 124 S.Ct. 1379, 158 L. Ed. 2d 204, 2004 U.S. LEXIS 1837, 72 U.S. L.W. 4241 17 FIA L. WEEKLY Fed. S. 190. **BYRNE V. FIERMAN**, 2002 Ga. App. LEXIS 743 (2002)
8. **LESLIE V. Willis**, 265 Ga. 561, 564 (3) (463 S.E.2d 104) (1995) & **LESTER V. Foster**, 207 Ga. 596, 63 S.E.2d 402 (1951) Denying Rights to be heard in Courts of Appeal by Judge's Arbitrary in Discretionary AND violation of Discretion to deny motions filed. SEE **Traders Ins. Co. V. Mann**, 18 Ga. 341 45 SE. 426 (1903) Right to be heard in Courts, **Collier V. State**, 2019 Ga. LEXIS 706 (2019) **Cuyler V. Sullivan**, 466 U.S. 335 (1980) cite at 100 S.Ct. 1704, 64 L. Ed. 2d 333

List of Parties Attachment 1-B.

(Attachment)

SENSE I TURNED IN NAMES TO THE UNITED STATES COURT OF APPEALS I've lost some important papers due to share downs and can't remember those names I sent that court. Due to the unchanging attitudes of C.E.T. office and officers on duty during weekly minor monthly shakedowns with inspection and such I am able to come up with the NAMES OF District Court Judges and some Attorney Generals. Here are the names I can accurately come up with in order of office and Alphabetical order.

- A. Judges
 1. JASON J. DEAL, Superior Court Hall County of Northeastern Judicial Circuit P.O. Box 44 Gainesville, Georgia 30503 DeMunnor Hearing and Guilty Plea
 2. MS OR MRS LOGGINS, Magistrate Court Judge Hall County of Northeastern Judicial Circuit P.O. Box 44 Gainesville, Georgia 30503 DeMunnor Hearing and Guilty Plea
 3. W. JAMES SIZEMORE, Lee County Superior Court, of Habers Compas Leesburg Georgia 31763 Successive Habers Compas case No. 2017-CV-226
 4. JAMES G. TUNISON, Judge of Lowndes County Superior Court Habers Compas Court of State: P.O. Box 1344 Urdosha, Georgia 31603, 2 Hearing 1, No. 12, 2008 & B. PROSECUTOR FOR Hall County Court system P.O. Box 1690 Gainesville, Georgia 30503, case No. 2008-CV-1387
 1. LEE DRISDAUGH, Head of District Attorneys office Assistant of D.A.'s office at DeMunnor Hearing and Guilty Plea.
 2. GREG REXIS, Assistant of D.A.'s office at DeMunnor Hearing and Guilty Plea.
 3. ELIZABETH SIMMONS, Esq. Assistant of D.A.'s office at DeMunnor Hearing and Guilty Plea.

- C. COUNSELS OF Public Defenders Office P.O. Box 390 Gainesville
 1. LARRY DUCKWILLER, Office: Tony Cantrell.
 2. BRADFORD MORRIS, Corrections of No. 4, Lady Duckwillee instead of Dick wheeler.
 4. BRETT WILLIS,
- D. ATTORNEY GENERALS and ASSISTANTS ~~Georgia~~ Department of Law
 - 40 Capitol Square SW Atlanta, Georgia 30334-1300
 1. MATTHEW B. CROWDER, 2. MEBHAN HILL ESQ. 3. RYAN KOLB, BENJAMIN-PIERMAN, 4. MS OR MRS WARE
- E. PROBATION OFFICER of Hall County Superior Court P.O. Box 44 Gainesville
 1. MICHELLE SUTHERLAND, Probation Officer who co-responded w/ District Attorney to Probate Investigator witnesses on location of a room and the witnesses
 - GEORGIA 30503
 1. WILLIAM J. WATSON, 2. TOLD R. DYER
- F. STATE WITNESSES
 2. DOCTOR JULIE BATTLE also expert witnesses, 3. TOLD R. DYER
 4. SMITH RENE JONES R.K.H. SMITH RENE McWhorter.
 5. NATHAN LUKER-JONES, so called victim. Detective Bill Worell.
- G. WARDEN OF LEGAL OR ILLEGAL custody of MICHAEL D. DYER during the past going on 14 years. 1. WILLIAM DUNFORTH WARDEN of Uplosta Prison was in 2009-2010. 2. AIMEE SMITH WARDEN of LEE State Prison in 2017. N 2017

H. DEFENDANTS DENIED or witness by PROSECUTORIAL misconduct, L. DAVID - matter, 2. BENNIE FEN MATTER, 3. INTEREST LYNCH CHITWOOD, Address unknown

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	Notice of Appeal O.C.G.A. § 5-6-38 & O.C.G.A. § 5-6-33(2)(1) denial, Denied by Judge without due process and by Abuse of Discretion, and by violation of VENUE of his office, filed with motions denied. A: Appendix "A" and "B a" SEE ALSO Appendix (B) order by conviction Court July 17, 2020 Denial of motion to set aside and Notice of Appeal of orders denying motions.
APPENDIX B	Application For Probable Cause And/OR CERTIORARI for denial, denied motion for out of time appeal by Superior Court Hall County ordered May 14th 2020 This was filed in Union with 2 motion later denied by conviction Court SEE Appendix "A (a)" ordered by Court of Appeals June 2, 2020 and February 14, 2020 order, Sept. 11, 2020 order No. 521 DO
APPENDIX C	SEE How mail Room denied timely access to courts of denial of motions of out of time Appeal Notice and motion to SET ASIDE Judgement filed July 17th 2020 But I only got August 6th 2020 giving LESS than 10 days to Appeal marked
APPENDIX D	Appendix (C) 103, 2063, and 3063. SEE Appendix "B a" corresponding Appeal Notice. Notice of Appeal For denial of constitutional Right to Appeal any decision mailed June, 2020 Denied July 17, 2020 marked Appendix (D)
APPENDIX E	Appeal to Supreme Court of Georgia which will be denied for not being timely filed because of Prison Officials denial of Rights to access courts
APPENDIX F	Appendix (E) pages 1, through 15 counting certificate of service.

TABLE OF AUTHORITIES CITED

CASES 1. COLLIER V. STATE, 834 S.E. 2d 769 (2019) PAGE NUMBER
2. Brady v. Maryland, 513 U.S. 83, 83, 10 (1994) AKINS V. SINGLETON, 965 F.2d 1141, 1141, 1141 (1992)
3. Bailey V. State, 828 S.E. 2d 300 (Ga. 2014)
4. EASTMAN Kodak Co. V. Sony Corp, No. 04-CV-6095, 2004 WL 2984297 (W.D. N.Y. Dec. 22, 2004)
5. United States V. Malone, 2014 US App. Lexis 12025 (2014)
6. United States V. Gonzalez - Lopez, 548 U.S. 140 (2006)
7. WEAVER V. MASSACHUSETTS, 137 S.Ct. 1894 (2017)
8. Wood V. Georgia, 450 U.S. 261, 271 (101 SC 1047, 67 LE2d 220) (2008)
9. Garland V. State, 293 Ga. 201 (657 SE2d 842) (2008)
10. LOOE V. STATE, 293 Ga. App. 499, 501 et fn. 1 (662 SE2d 656) (2008) SEE ALSO Reynolds V. Chapman, 253 F.3d 1337, 1343 (11th Cir. 2001)
11. NAZARIO V. THE STATE, 293 Ga. 480; 746 S.E. 2d 109 (2013) 6th Lexis 611; 2013 Fulton County D. Rep. 2206 Case No. S13A0006. Decided July 11th, 2013.
12. IN RE Formal Advisory Opinion 10-1, 293 Ga. 347 (2013) 13th Lexis 744 S.E. 2d 799 13 FCOR 2196
13. Garcia V. Louisiana, 2013 WL 2405552 (2013) Mr. Dyer asks this court to consider the motion for leave to file Brief of Amicus Curiae and Brief of Amicus Curiae. The Ethics Bureau of VALE in support of his petition also.
14. Cuyler V. Sullivan, 466 U.S. 333 (1984) 100 S.Ct. 1704, 64 L.Ed.2d 333; 15 Amos V. Walker, 257 Ga. 864, 2005 WL 21596 (2010) 13th Lexis 644 2010 Fulton County D. Rep. 320

STATUTES AND RULES BAR RULES 1.7 & 1.7(a), UNIFORM Superior Court Rules 4.1, 4.3, 1.2, 1.5, 6.2, 3.S. (A) FEDERAL Rules of Criminal Procedure Rule 11, 11A, 11(B), 11(C), 11(D), 11(E), 11(W), in violation of Defendants Due process Rights and Rights followed State BAR of Georgia FORMAL ADVISORY OPINION NO. 10-1 APPROVED AND ISSUED ON July 11, 2013 Pursuant to BAR Rule 4-403 BY ORDER OF THE SUPREME COURT OF GEORGIA WITH COMMENTS SUPREME COURT DOCKET No. S10U1679, STATE BAR of Georgia, Formal Advisory Opinion No. 10-1 Approved and Issued ON July 11th, 2013 Pursuant to BAR Rule 4-403 By Order of the Supreme Court of Georgia with comments; Mr. Dyer's case contains an illegal merger of two convictions that use the same evidence for both convictions Mr. Dyer states that his conviction is void and a nullity SEE NAZARIO V. THE STATE, 293 Ga. 480; 746 S.E. 2d 109; 2013 Ga. Lexis 611; 2013 Fulton County D. Rep. 2206, Case No. S13A0006 Decided July 11th 2013; and Georgia Code Author O.C.G.A. § 16-1-7(2) "A defendant may not be legally convicted of a crime that is included as a matter of law or fact in another crime for which the defendant also stands convicted." "A conviction that merges with another conviction is void, a nullity and a sentence imposed on such a void conviction is illegal and will be vacated if noticed by the Supreme Court, even if no merger claim was raised in the trial court and even if defendant does not enumerate the error on appeal." Mr. Dyer was forced by Judge who was not impartial to continue on after he claimed conflict of interest Counsel Larry Dettwiler who worked with co-counsel Brett Willis an attorney to continue on with Brett Willis who developed another conflict of interest against Mr. Dyer because Mr. Dyer had describe conflicts of interest against his mentor Mr. Dyer was deprived appeal of this, and deprived appeal after he was forced into plea by Brett Willis who misinformed him of the consequences of his plea and misled Mr. Dyer to the fact that he retained rights to appeal and file habeas corpus and only would be in prison 10 years at the most he said.

STATEMENT OF THE CASE

DEAR JUSTICES: I'm a INNOCENT man convicted by UNCONSTITUTIONALLY SOUND MEANS involving CONFLICTS OF INTEREST OF COUNSELS WHO WORK UNDER BRAD MORRIS the director, HEAD COUNSEL of THE PUBLIC DEFENDERS OFFICE of P.O. Box 340 Gainesville, Georgia, Mr. MORRIS or MR. MORRISON was Publicly humiliated by Mr. L.P. MCNEAL OWNER of LAKE SHORE RESTAURANT in 1979 or 80 at a Public Function and continued at CIVIL CENTER of GAINESVILLE GEORGIA. When Mr. MORRISON Treated Mr. Dyer into pleading guilty to Three counts of Burglary of which Mr. Dyer was only aware of one count of Burglary of which he was pleading. Mr. MCNEAL Embarrassed him in court of Mr. Dyer's guilty plea and at EVERY Public Function Mr. MCNEAL attended or catered to he would ridicule him and Embarrass him. Concerning Michael David Dyer whom Mr. MCNEAL Treated at times like his own son, at times, this one of them, Mr. Dyer's brother Clifford Dyer THREATENED to Beat Mr. MORRIS or MORRISON's butt after he helped the State convict his brother Michael in 1980, also because Mr. MORRISON was attempting to seduce two twins LISA and LYNN Brookshire whom Clifford Tracy Dyer cared deeply for who had complained to Clifford about Mr. MORRISON's sexual advances of them while they worked at his office as SECRETARIES in 1980 sexual harassment was not considered a crime or as serious a crime as it is now, but REGARDLESS of these facts, Mr. MICHAEL Dyer was REPRESENTED by a LAW FIRM of counsel who had THEIR BOSSES conflict of interest in the way of Mr. Dyer's sixth Amendment Rights to a counsel who is conflict free, an effective counsel who would defend him, not prosecute him, Mr. Dyer was first under counsel ANNE WATSON's conflicts of interest and ineffective assistance at his preliminary and/or committal hearing held January 18th, 2006 where Mr. Dyer ask his counsel to subpoena David and Jennifer Mutter two witnesses that would have cleared Mr. Dyer of all the charges of the accusation against him in Docket No. MG 177 ISS M or MG 155177 M of Afterwards Indictment No. 2006-CR-1284-C, MS ANNE WATSON abandoned Mr. Dyer after Mr. Dyer ask her to appeal committal hearing finding of MS Liggins magistrate Judge who also had a non-impartial conflict of interest against Mr. Dyer because she Dyer would not give in to her advances when she demanded him to meet at a midnight meeting at Gail Dougherty's home Mr. Dyer's neighbor in 1975 or 76 might have been earlier unclear memory it's been so long ago. Any way MS ANNE WATSON instead of subpoenaing David and Jennifer Mutter gave their names to Elizabetha Simmons the State prosecutor who made them sign affidavits not to be witnesses for Mr. Dyer under the threat that the State would re-establish the charges of child molestation toward David Mutter, I asked MS ANNE WATSON at the committal hearing where my witnesses where she told me that she had let her friend Elizabetha subpoena them, I said isn't that the lady prosecutor? She stated yes, I yelled in the court room HAVE you lost your mind what kind of lawyer are you? That allows the prosecutor the defenses's only witnesses? I was immediately attacked by Judge Liggins and told to shut up in so many words also MS WATSON was also attacked and told if she can't control her client he would be removed from that court room. So months later I meet LARRY DUCHTWEILLER, & BRETT WILLIS who only wanted me to plead guilty from the start and would not subpoena David and Jennifer Mutter at the demurrer hearing. NO NOR would they appeal or file habeas corpus against ANNE WATSON THEIR co-counsel's ineffectiveness and conflicts of interest. About the second time I seen Mr. Duchtweiller and Brett Willis it became obvious to me he had a conflict of interest also I'd wrote the superior court Judge JASON J. DEAL about this and I brought it up at the return of the negative DNA for semen hearing in his court where Mr. Duchtweiller ask for continuance to re-send DNA for a saliva test DESTROYING my speedy trial demand 17-7-170 and 17-7-171 I wanted a private form of which I was denied by this Judge who KNEW of Mr. Duchtweiller's conflicts and the other conflicts of Brad Morris, He did not do me any justice at all leaving me worse off than I was saddled with a counsel from the Public Defenders office that had already showed conflicts of interest and leaving me with an UNEXPERIENCED INTERN COUNSEL the co-counsel who worked as a team with LARRY Duchtweiller as my counsels at the demurrer hearing where I was deprived of any defense or EVEN adversarial processes of my counsel EVEN knowing the facts of the case or testing these claims of the prosecutor who now had been able to raise the charges twice before I was not represented by a defense counsel of the meaning of the sixth Amendment not effective counsel, showing a vindictive prosecutorial misconduct towards Mr. Dyer for his exercise of his constitutional rights for test of the evidence against him that was not tested at the committal hearing and to challenge the indictment in which the charge of child molestation which was raised to aggravated child molestation after the so called committal hearing or preliminary test of evidence Jan. 15, 2006, and again raised after the return of indictment in October almost a year or more later was raised after the demurrer hearing to two counts of aggravated child molestation in which the prosecutor merged at guilty plea hearing June 11th 2007.

REASONS FOR GRANTING THE PETITION

1. I WAS NOT ALLOWED ANY WITNESSES AT ANY HEARING TO DEFEND ME. 2. I WAS NOT ALLOWED TO RESEARCH THE CLAIMS OF Doctor Julie Battle who the State claimed had found FORENSIC EVIDENCE that Mr. Dyer had bitten Nathan Luke Jones - DENIS which was a Total lie, Dr. Battle Findings stated "It could be a bite mark and it could be a zipper mark although she stated this was common on the dorsal side of the penis not the ~~bottom side~~ Bottom side. (Doctor Julie Battle of Telford Childrens Center.) (in record)
2. I WAS DEPRIVED ADVERSARIAL PROCESS OF EVIDENCE, DUE PROCESS, CONFRONTATION CLAUSE BY A SET OF COUNSEL WHO HELPED THE PROSECUTOR ILLEGALLY FORCE AND COERCE A GUILTY PLEA BY FRAUD OF EVIDENCE DELAYED TO ME BY MY CONFLICTED COUNSEL, I TRULY BELIEVE THAT IF I HAD REPRESENTED MYSELF I WOULD NEVER BEEN CONVICTED NOR WOULD I HAVE PLEADED GUILTY BUT FOR THE ERRORS OF MY COUNSEL'S WHO PUSHED ME AT EVERY TIME THEY SEEN ME TO PLEAD GUILTY. AVERY V. ALBONMAR 308 U.S. 444, 60 S.Ct. 321 (1940), ^{reversed Dec. 27, 1932.}
3. I WAS REPRESENTED BY COUNSEL WITH CONFLICT OF INTEREST WHO'S REAL INTENTIONS WERE TO PROSECUTE ME AND WOULD NOT DEFEND ME IN NO MEANING OF THE WORDS OF EFFECT DEFENSE COUNSEL WHO WOULD NOT OBJECT NOR WOULD ANY OF THEM ALLOW APPEAL COUNSEL TO BE HAD BY MR. DYER FOR THEIR INEFFECTIVE MESSY CONFLICTS.
4. THERE IS AN AMBIGUITY IN RECORD THAT SHOWS MR. DYER WAS UNDER THE MISLEADING OF HIS COUNSEL BRETT WILLIS THAT HE WAS TO RETAIN HIS CONSTITUTIONAL RIGHTS TO APPEAL AND FILE HABEAS CORPUS ALSO TO SEEK SENTENCE REVIEW SEE PETITION TO ENTER A PLEA OF GUILTY AT SECOND PAGE AT CERTIFICATE OF COUNSEL THAT I SIGNED AND BRETT WILLIS SIGNED SHOWING ME THAT I RETAINED THESE RIGHTS AS NEGOTIATED. THE RECORD IN THE GUILTY PLEA HEARING SHOWS PROSECUTOR RADICS THROWING IN EXTRA UNNEGOTIATED CONSEQUENCES OF WAIVERS OF APPEAL HE EVEN SOLICITED PROBATION OFFICER TO INCLUDE THESE "ILLEGAL" WAIVERS IN THE SPECIAL CONDITIONS OF PROBATION, MR. WILLIS FINELY BROKE DOWN AND LET THIS CUT OUT OF THE BAG AT THE LOUNCHES COUNTY SUPERIOR COURT EVIDENTIARY HEARING OF HABEAS CORPUS, SEE REMITTANCE AND RETURN BY GEORGIA SUPREME COURT IN 2011 JANUARY 14TH, CASE NO. S10H1362 ORDER, TO DETERMINE KNOWINGLY AND INTELLIGENTLY AND VOLUNTARILY ENTERING A PLEA WITH ABLE ASSISTANCE OF COUNSEL WHICH WAS NOT FULLY GUA-NTED BY THE HABEAS CORPUS COURT BECAUSE THE RECORD OF EVIDENTIARY PROVIDED MORE EVIDENCE THAT MR. DYER COUNSEL'S WERE CONFLICTED, AND INEFFECTIVE AND THAT THEY KNEW OF THE ILLEGAL GENERATION OF FRAUDULENT WAIVER OF CONSEQUENCES OR APPEAL WAIVERS, HABEAS CORPUS WAIVERS THAT ARE GENERATED AFTER THE GUILTY PLEA HEARING AND BROUGHT TO THE DEFEND-ANTS TO SIGN WITHOUT PROTECTION OF THE NEGOTIATED RIGHTS PROTECTED BY THE SIXTH AMENDMENT EFFECTIVE COUNSEL WHO CARES THAT HIS CLIENT IS NOT LEFT TO WALLS AFTER HE LEAVES COUNSEL'S PROTECTION SEE HABEAS CORPUS RECORD TRANSCRIPT OF MARCH 12TH 2015 EVIDENTIARY HEARING PAGES 6, THROUGH 14, SHOWING COUNSEL ADMITTING TO COERCION OF PLEA BY BRINGING FABRICATED EVIDENCE OF POSITIVE DNA AND PICTURES OF BRUISE MARK ON CHICK'S PENIS CLAIM-ING BITE MARK AND PROSECUTOR ADDING EXTRA UNKNOWING CONSEQUENCES THAT WERE NOT INTENTIONALLY CHOSEN TO FORGO THEM IN A PLEA, MY OWN COUNSEL'S MIS-IDENTIFIED THE EVIDENCE AGAINST ME TO DEPRIVING ME DUE PROCESS TO GET ME TO PLEAD GUILTY AND WHEN I DID AGREE COUNSEL WOULD NOT MAKE PROSECUTOR TO STICK TO THE NEGOTIATIONS OF THE PLEA. INST COURT TO ISSUE CORAM NOBIS JUDGMENT.
5. MR. DYER WAS DEPRIVED THE RIGHT TO APPEAL BY HIS COUNSEL'S ACTING IN CONFLICT OF INTEREST. MR. DYER FILED OUT-OF-TIME APPEAL CLAIMING CONFLICTS OF INTEREST COUNSEL AND INEFFECT-IVE COUNSEL, BOTH ON MAY 13TH 2020 AGAIN ON JULY 17TH 2020 NOW MR. DYER IS DEPRIVED CERTIORARI BY THE COURT OF APPEALS AND THE SUPREME COURT OF GEORGIA WHO HAS ALLOWED SO MANY OTHERS TO APPEAL BUT TREATS MR. DYER UNFAIRLY AND WITH EXTREME PREJUDICE NOT ALLOWING ANY RELIEF MR. DYER PRAYS THIS COURT WILL VIEW FULL RECORDS OF ALL TRANSCRIPTS IN CONCORDANCE WITH GEORGIA GOV. SUPERIOR COURTS LISTED AND CHECKS

Exhibit
"A)"

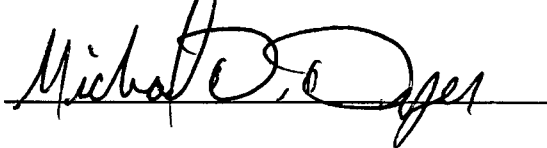
CONCLUSION

MR. DYER ASK THIS COURT TO RECOVER THE FULL RECORDS OF TRANSCRIPTS FROM SUPERIOR COURT HALL COUNTY CLERKS OFFICE OF DISTRICT NO. MG170155M CASE INDICTMENT NO. 2006-CR-1284-C IN CONCORDANCE WITH O.C.G.A. § 15-14-S & § 44-2-380 AND Rule 13 WITH ORDER TO LOWER COURTS TO PROVIDE TRANSCRIPTS OF PROCEEDINGS OF CASE NO. 226 LEE COUNTY SUPERIOR COURT AND ALL EXHIBITS, AND WITH CASE NO. 2009-CV-1387 OF BOTH HEARINGS MARCH 12TH 2015 AND NOVEMBER 12TH 2009 OF ALL EXHIBITS ALSO AND BRIEFS FILED FROM WITHIN LOWNES COUNTY SUPERIOR COURT ALLOWING ALL EVIDENCE TO BE ELECTRONICALLY SENT TO THE SUPREME COURT OF THE UNITED STATES BECAUSE MR. DYER IS NOT ALLOWED COPY'S TO BE MADE BY LEE COUNTY COURTS OR HALL COUNTY COURTS OR LOWNES COUNTY COURTS OR APPEALS COURTS WHERE ALL HIS COPIES HE HAD ARE ON FILE AND BECAUSE PRISON WILL NOT MAKE COPIES FOR ME AND THE FACT THAT MR. DYER NO LONGER HAS DEMMER HEARING TRANSCRIPTS NOR THE UNITED STATES DISTRICT COURT FOR THE GAINESVILLE DIVISION OF NORTHERN DISTRICT I ASK THAT THIS BE DONE TO PROVIDE THE JUSTICES WITH COMPLETE RECORDS AND PROOF IN THE RECORD OF WHAT I HAVE BEEN STATING ALL ALONE I'M UNDER A CURSE OF NOT ALLOWING ME APPEAL IN COURT OF APPEAL OF GEORGIA, ALSO IN SUPREME COURT OF GEORGIA WHERE RECORDS ARE ALSO ON FILE MR. DYER ASK TWO CLERKS OF UNITED STATES SUPREME COURT WHEN SHE HE DOCKETS CASE TO ALSO GIVE NOTICE TO LOWER COURTS IN Rule 13, Rule 20, Rule 21, Rule 1, Rule 47, Rule 21 (b), THIS COURT TO ORDER THESE RECORDS BECAUSE MR. DYER IS ENLIGHTENED AND NO LONGER HAS THEM IN HIS POSSESSION DUE TO ILLEGAL STRIP SEARCHES OF PRISON GUARDS AND CONFISCATION OF DOCUMENTS OR THROWING THEM AWAY. SEE ALSO O.C.G.A. § 5-6-9 THE TRANSMISSION OF THESE DOCUMENTS TO UNITED STATES SUPREME COURT TO STIPULATE THE TEXT O.C.G.A. § 5-6-41 AND ALL OTHER COURTS APPEALS COURT OF GEORGIA, SUPREME COURT OF GEORGIA SO THAT THIS COURT MAY REVIEW DECISIONS O.C.G.A. § 5-6-41 (2) AS PROVIDED IN CODE SECTIONS 17-8 -S OR AS OTHERWISE PROVIDED BY LAW. (C) IN ALL CIVIL CASES TRIED TO SUPERIOR AND/OR CITY COURTS THE JUDGMENT OF WHICH ARE SUBJECT TO REVIEW ETC... AND (d) ALSO MR. DYER ASK THIS COURT TO ORDER 42 U.S.C. § 1983 RELIEF FOR CHIMES AND AWARD HIM \$4,000,000 4 MILLION DOLLARS FROM THESE COURTS AND THEIR ILLEGAL ACTION AND FRAUD AND SCHEMES TO RECOVER SEE COMMITTEE HEARING AND EXHIBITS

THE PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED.

MR. DYER SENDS HIS APOLOGIES TO THIS COURT DUE TO MR. TURNER WARDEN'S ASSISTANT ASKING FOR THE COURT OF APPEAL ORDER OF CASE NO. A210080 IN WHICH HE LOST OR MISPLACED I CANNOT SEND COURT OF APPEALS LAST ORDER DISMISSING MY PARTIAL APPEAL.

Respectfully submitted,



Date: ~~08/25/20~~ 6-30-21